

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SIEMENS MEDICAL SOLUTIONS USA,)
INC.,)
))
Plaintiff,))
))
v.) C.A. No. 07-190 (SLR)
))
SAINT-GOBAIN CERAMICS &)
PLASTICS, INC.,)
))
Defendant.))

AMENDED SCHEDULING ORDER

WHEREAS, the Court entered a Scheduling Order on July 2, 2007 (D.I. 15) and the parties have operated under that Scheduling Order during discovery in this case;

WHEREAS, Plaintiff and Defendant have outstanding previously-noticed depositions that are in the process of being scheduled and taken;

WHEREAS, several third-party subpoenas are outstanding and may require or have required motion practice before District Courts in other judicial districts; and

WHEREAS, to accommodate these outstanding discovery issues, the parties have stipulated that certain dates on the current schedule can be modified, on the condition and understanding that it will not change the summary judgment deadlines nor the pre-trial conference and trial dates currently in place;

IT IS HEREBY STIPULATED AND AGREED by the parties hereto, by and through their undersigned counsel, subject to the approval of the Court, that the July 2, 2007 scheduling order shall be amended as follows:

1. All depositions of party witnesses that were noticed prior to March 14, 2008 shall be completed on or before April 25, 2008.

2. The parties will endeavor to have subpoenas that were served on or before March 14, 2008 fully responded to and depositions under those subpoenas taken by April 25, 2008.

3. Expert discovery shall be completed by June 6, 2008.

(a) Expert reports on issues for which the parties have the burden of proof are due on May 2, 2008. Rebuttal expert reports are due on May 23, 2008.

(b) Any Daubert motions shall be filed on or before June 13, 2008.

4. The parties will file a Joint Claim Construction Statement and Claim Chart on May 2, 2008. However, as the parties have agreed that all claim terms at issue are to be construed according to their ordinary meaning and disputes over those meanings are not anticipated, briefing on claim construction issues is believed to be unnecessary. Should any briefing be required, the parties agree that the original deadlines from the Court's July 2, 2007 Scheduling Order shall apply.

5. All other dates in the Court's July 2, 2007 Scheduling Order, including deadlines for summary judgment briefing, witness and other pre-trial disclosures, the date of the pre-trial conference, and trial dates, shall remain in effect.

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SO ORDERED this _____ day of March, 2008.

United States District Judge